

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ARIA DIAGNOSTICS, INC.,

No. C 11-06391 SI

Plaintiff,

ORDER RE SEALING

v.

SEQUENOM, INC.,

Defendant.

SEQUENOM, INC.,

Counterclaim Plaintiff,

v.

ARIA DIAGNOSTICS, INC.,

Counterclaim Defendant,

and

ISIS INNOVATION LIMITED,

Nominal Counterclaim Defendant.

Currently before the Court is the parties' stipulation and proposed order to allow Ariosa (plaintiff and counterclaim defendant, formerly known as Aria) to file its opposition to Sequenom's motion for a preliminary injunction and related declarations under seal. The stipulation does not comply with this Court's standing order and Civil Local Rule 79-5. In order to seek to file a document completely under seal, the filing party must submit a stipulation (or motion) and supporting declaration demonstrating why, for each specific document and the information contained therein, good cause exists to seal the whole document. *See* Civil Local Rule 79-5(b), (d). The stipulation and declaration cannot rely solely

1 on the parties' agreement to seal or the fact that some of the information referenced in a document has
2 been designated as confidential under the parties' protective order.

3 Similarly, in order to seek to file a document partially under seal, the filing party must submit
4 a stipulation (or motion) and declaration identifying the specific portions of the document sought to be
5 filed under seal and demonstrating that good cause exists to seal those portions of the document. Civil
6 Local Rule 79-5(c), (d). The stipulation and declaration cannot rely solely on the parties' agreement
7 to seal or the fact that some of the information referenced in a document has been designated as
8 confidential under the parties' protective order. The filing party must also comply with General Order
9 62, regarding efilings documents under seal.

10 Within five (5) days of the date of this Order, Ariosa must submit a stipulation (or motion) that
11 fully complies with this Court's standing order and Civil Local Rule 79-5.

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13 **IT IS SO ORDERED.**

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15 Dated: 5/17/12



16 SUSAN ILLSTON
17 United States District Judge
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